THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.28230 of 2006

Date: 03.01.2006

Between:

A.Rajeswara Rao.

.. PETITIONER

AND

The Chief Engineer.

.. RESPONDENTS

ORDER:

The petitioner claims that he has been engaged as a Contract Labour by a Labour Contractor, by name M/s. B.S.N.Joshi & Sons Limited. According to him, the Labour Contractor was assignesd different categories of works by the erstwhile Andhra Pradesh State Electricity Board. Claiming benefit under B.P.Ms.Nos.36 and 37, dated 18.05.1997, the petitioner submitted an application for his absorption, to the respondents. The application was rejected vide letter, dated 25.10.1999. Thereupon, the petitioner filed W.P.No.13130 of 2000 before this Court. The Writ Petition was disposed of, setting aside the letter, dated 25.10.1999, and directing the respondents herein, to consider the case of the petitioner afresh. Acting on the directions issued by this Court, the 1st respondent considered the case of the petitioner and rejected the same through letter, dated 07.10.2004. The petitioner challenges the same in this Writ Petition.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

A perusal of the letter, dated 07.10.2004, discloses that the 1st respondent furnished several reasons while rejecting the case of the petitioner. It was pointed out that the petitioner was not employed at the relevant point of time and that the alleged engagement was not against the prohibited categories. The genuinity of the Service Certificate issued by the Labour Contractor was also doubted. When so many disputed questions exist, this Court cannot undertake adjudication of the same. The petitioner can effectively work out his remedies before the Labour Court by instituting proceedings under the relevant provisions of law.

Therefore, the Writ Petition is disposed of, leaving it open to the petitioner to approach the Labour Court by instituting proceedings under the relevant provisions of law. As and when such Industrial Dispute is raised by the petitioner, the concerned Labour Court shall dispose of the same as expeditiously as possible. There shall be no order as to costs.

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03.01.2006

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